

**INDIANA ELECTION COMMISSION  
PUBLIC SESSION NOTICE**

**Indiana Government Center South  
Conference Center Room A  
402 West Washington Street  
Indianapolis, Indiana 46204**

**Thursday, September 22, 2005, 1:00 pm**

The Indiana Election Commission will convene a public meeting at 1:00 p.m. on Thursday, September 22, 2005, pursuant to Indiana Code 5-14-1.5-5.

*For more information contact:*

J. Bradley King, Co-Director, (317) 232-3939  
Kristi Robertson, Co-Director, (317) 232-3939

Posted in accordance with IC 5-14-1.5 on this date:

**September 8, 2005**

**INDIANA ELECTION COMMISSION  
MEETING AGENDA  
Thursday, September 22, 2005, at 1:00 pm  
Indiana Government Center South  
Conference Room A  
402 West Washington Street  
Indianapolis, Indiana 46204**

1. **Call to order; Determination of Quorum;  
Statement of Meeting Compliance with Open Door Law;  
Introduction of Members** (*Chairman Wheeler*)
2. **Approval of minutes** (*Commission members*)  
*June 22, 2005 minutes*  
*August 19, 2005 minutes*
3. **Order 2005-2 approving forms** (*Ms. Robertson*)
4. **Order 2005-14 approving absentee voter's bill of rights** (*Mr. King*)
5. **Administration of oaths to witnesses in campaign finance and voting system matters** (*Mr. Simmons*)
6. **Campaign Finance Enforcement: Ratification of agreements to waive hearing and accept proposed fine** (*Mr. King and Ms. Robertson*)
7. **Campaign Finance Enforcement: Adoption of orders for causes heard at previous Commission meetings.** (*Mr. King and Ms. Robertson*)  
Order 2005-03 Kapetanov for Governor  
Order 2005-04 Steve Wolfe for State Representative  
Order 2005-05 Kapetanov for Governor  
Order 2005-06 Steve Wolfe for State Representative  
Order 2005-07 Indiana's 9<sup>th</sup> Congressional Democrat Central Committee  
Order 2005-08 Proud Republicans Inviting Democratic Endorsement  
Order 2005-09 I.B.E.W. Local Union 369 Political Action Committee  
Order 2005-10 Ulmer for State Representative  
Order 2005-11 Keramida Environmental, Inc.

**8. Campaign Finance Enforcement Hearings**

*(Discussion of procedures by Chairman Wheeler;*

*Reports by Ms. Potesta and Ms. Thompson)*

**A. Continuance of 2004 Statement of Organization Hearing**

- i. McGlothen for Indiana (Cause 04-5200-113); Page 1, IED list (*"IED List" is the September 15, 2005 version of the Campaign Finance staff's summary.*)

**B. Continuance of 2004 Post-Nomination Campaign Finance Report Hearing**

- i. McGlothen for Indiana (Cause 04-5200-116); Page 1, IED list

**C. Motion to Reconsider 2004 Campaign Finance Report Enforcement from previous Commission Meetings**

- i. Hoosiers for Witwer (Cause 04-3951-13); Page 1, IED list
- ii. Smith for Treasurer (Cause 04-4864-39), Page 2, IED list

**D. 2004 Statement of Organization**

- i. Regions Financial Corporation State Political Action Committee (Cause 05-5200-116); Page 2, IED list
- i. Committee to Elect Gordon Southern (Cause 05-5248-4); Page 2, IED list

**E. 2004 Post-Nomination Campaign Finance Report**

- i. Committee to Elect Gordon Southern (Cause 05-5248-5); Page 3, IED list

**F. 2004 Pre-General Election Campaign Finance Report**

- i. Indiana Society for Legislative Action for Psychologists (Cause 05-1543-6); Page 3, IED list
- ii. Kokomo Firefighters Political Action Committee (Cause 05-1822-7); Page 3, IED list
- iii. International Chiropractors Association of Indiana (Cause 05-1828-8); Page 4, IED list
- iv. 5<sup>th</sup> District Democratic Central Committee (Cause 05-4278-10); Page 4, IED list
- v. Hoosiers Against Crazy Taxes (Cause 05-4472-11); Page 4, IED list
- vi. Laborers' International Union of North America, Local 561 (Cause 05-4482-12); Page 5, IED list
- vii. 1<sup>st</sup> District Republican Committee (Cause 05-4692-13); Page 5, IED list
- viii. New Indiana Leadership Network (Cause 05-4945-15); Page 5, IED list

- ix. The Victory Project PAC (Cause 05-4972-16); Page 6, IED list
- x. Draft Kernan Committee (Cause 05-4990-17); Page 6, IED list
- xi. Committee to Elect Matt Smith (Cause 05-5043-18); Page 6, IED list
- xii. Jessen for State Representative Committee (Cause 05-5101-19); Page 7, IED list
- xiii. Goldstein for State Representative (Cause 05-5128-20); Page 7, IED list
- xiv. Committee to Elect Dick Dodge (Cause 05-5138-21); Page 7, IED list

**G. 2004 Annual Report (Due noon January 19, 2005)**

- i. Crawford Committee (Cause 05-974-22); Page 8, IED list
- ii. Johnson for State Senate Committee (Cause 05-1587-23); Page 8, IED list
- iii. Jones for State Representative (Cause 05-1728-24); Page 8, IED list
- iv. AT&T Political Action Committee (Cause 05-1804-25); Page 9, IED list
- v. United Steelworkers of America Local 115 (Cause 05-2045-26); Page 9, IED list
- vi. Local Union 855 PAC (Cause 05-3144-27); Page 9, IED list
- vii. Committee to Elect Dean A. Young State Representative (Cause 05-3531-28); Page 10, IED list
- viii. Citizens for Jay Linn (Cause 05-3558-29); Page 10, IED list
- ix. Citizens for Robert D. Green (Cause 05-3689-30); Page 10, IED list
- x. Sandra Dempsey for State Senate (Cause 05-3777-31); Page 11, IED list
- xi. Citizens for Sally (Cause 05-3828-32); Page 11, IED list
- xii. Friends of Steve Johnson (Cause 05-3996-33); Page 11, IED list
- xiii. Mark Townsend for State Senate Committee (Cause 05-4238-34); Page 12, IED list
- xiv. Friends of Karen Buyer Burkhardt (Cause 05-4269-35); Page 12, IED list
- xv. Hoosier Osteopathic Political Action Committee (Cause 05-4431-36); Page 12, IED list

- xvi. International Brotherhood of Painters & Allied Trades Local #47 PAC (Cause 05-4452-37); Page 13, IED list
- xvii. Hoosiers Against Crazy Taxes (Cause 05-4472-38); Page 13, IED list
- xviii. Committee to Elect Dumezich (Cause 05-4480-39); Page 13, IED list
- xix. Citizens for Crabtree (Cause 05-4527-40); Page 14, IED list
- xx. Milan Kesic for State Representative (Cause 05-4557-41); Page 14, IED list
- xxi. Hoosiers for Kent Benson (Cause 05-4722-42); Page 14, IED list
- xxii. Michael Batz for State Representative (Cause 05-4741-44); Page 15, IED list
- xxiii. Committee to Elect Mark Duwe State Representative (Cause 05-4766-45); Page 15, IED list
- xxiv. Committee to Elect Randy Plew State Representative (Cause 05-4775-46); Page 15, IED list
- xxv. Singleton for House District 71(Cause 05-4779-47); Page 16, IED list
- xxvi. Powers for State Representative (Cause 05-4785-48); Page 16, IED list
- xxvii. Committee to Elect Marsha Abell (Cause 05-4812-49); Page 16, IED list
- xxviii. Gidley for State Representative (Cause 05-4824-50); Page 17, IED list
- xxix. Kinser for State Representative (Cause 05-4831-51); Page 17, IED list
- xxx. Friends of Susan Maxson (Cause 05-4888-52); Page 17, IED list
- xxxi. The Committee to Elect Thomas Cavanaugh (Cause 05-4904-53); Page 18, IED list
- xxxii. Proud Republicans Inviting Democratic Endorsement (Cause 05-4953-54); Page 18, IED list
- xxxiii. Indiana Young Democrats (Cause 05-4965-55); Page 18, IED list
- xxxiv. Committee to Elect Thomas Keister (Cause 05-5012-56); Page 19, IED list
- xxxv. Committee to Elect Allen Lee Stevens, Jr. (Cause 05-5030-57); Page 19, IED list

- xxxvi. Committee to Elect Billy Bright (Cause 05-5035-58); Page 19, IED list
- xxxvii. Committee to Elect Catherine Campbell (Cause 05-5055-59); Page 20, IED list
- xxxviii. Committee to Elect Rick Ryfa (Cause 05-5057-60); Page 20, IED list
- xxxix. [WWW.VoteFagen.com](http://WWW.VoteFagen.com) (Cause 05-5058-61); Page 20, IED list
- xl. Wehrle (Cause 05-5061-62); Page 21, IED list
- xli. Duncan for State Representative (Cause 05-5064-63); Page 21, IED list
- xlii. Friends of Karyn Moskowitz (Cause 05-5065-64); Page 21, IED list
- xlili. Newell 2004 (Cause 05-5070-65); Page 22, IED list
- xliv. Jeff Crites for State Representative (Cause 05-5078-66); Page 22, IED list
- xl. White for State Senator (Cause 05-5086-67); Page 22, IED list
- xlvi. Waite for State Representative (Cause 05-5091-68); Page 23, IED list
- xlvi. Ingermann for State Representative (Cause 05-5096-69); Page 23, IED list
- xlvi. Jessen for State Representative (Cause 05-5101-70); Page 23, IED list
- xlix. Dr. S. G. Raju for Senator (Cause 05-5103-71); Page 24, IED list
- i. Gary Young Democrats (Cause 05-5109-72); Page 24, IED list
- li. Goldstein for State Representative (Cause 05-5128-73); Page 24, IED list
- lii. Jerry D. Smith (Cause 05-5145-74); Page 25, IED list
- liii. Marty McDermott for State Senate (Cause 05-5149-75); Page 25, IED list
- liv. Christopher D. Holland for State Representative (Cause 05-5151-76); Page 25, IED list
- iv. Committee to Elect Shane (Cause 05-5152-77); Page 26, IED list
- ivi. Committee to Elect Chad Roots (Cause 05-5158-78); Page 26, IED list
- lvii. Mark Brickman (Cause 05-5171-79); Page 26, IED list
- lviii. Elect Bob Farrell (Cause 05-5173-80); Page 27, IED list
- lix. Committee to Elect Bell (Cause 05-5175-81); Page 27, IED list

- ix. Hoosiers for Schadowsky (Cause 05-5178-82); Page 27, IED list
- lxi. Kapetanov for Governor (Cause 05-5197-83); Page 28, IED list
- lxii. McGlothen for Indiana (Cause 05-5200-84); Page 28, IED list
- lxiii. Committee to Elect Mike Kole (Cause 05-5204-85); Page 28, IED list
- lxiv. Balance PAC -Indiana (Cause 05-5214-86); Page 29, IED list
- lxv. Grant County GOP Victory Committee (Cause 05-5218-87); Page 29, IED list
- lxvi. Committee to Elect Gordon Southern (Cause 05-5248-88); Page 29, IED list
- H. 2004 Regular Party Committee Annual Report (Due noon March 1, 2005)**
  - i. Libertarian Party of Indiana State Central Committee (Cause 05-790-89); Page 30, IED list
  - ii. 1<sup>st</sup> District Republican Committee (Cause 05-4692-90); Page 30, IED list
- I. 2005 Statewide Candidate Semiannual Report (Due noon July 15, 2005)**
  - i. Citizens for Robert D. Green (Cause 05-3689-91); Page 30, IED list
  - ii. Friends of Steve Johnson (Cause 05-3996-92); Page 31, IED list
  - iii. Gividen for Governor Committee (Cause 05-5115-93); Page 31, IED list
- J. Delinquent Supplemental Large Contribution Report (CFA-11)**
  - i. Larry Rex Hile (Cause 05-5050-94); Supplemental page, IED list
  - ii. Committee to Elect Billy Bright (Cause 05-5035-95); Supplemental page, IED list
  - iii. Committee to Elect Billy Bright (Cause 05-5035-96); Supplemental page, IED list
  - iv. Committee to Elect Billy Bright (Cause 05-5035-97); Supplemental page, IED list
- K. Administrative Dissolution of Committees**
  - i. Citizens for Crabtree (Cause 05-4527-98); Supplemental page, IED list
  - ii. Hoosiers Against Crazy Taxes (Cause 05-4472-99); Supplemental page, IED list
- 9. Voting System Certifications (Applications for Term Ending October 1, 2005:**

Report by Co-Directors (*Mr. King and Ms. Robertson*)

- A. Avante International Technology Vote-Trakker direct record electronic version 4.76.
- B. Diebold Election Systems, Inc. AccuVote-TSX direct record electronic voting system; firmware version 4.5.2
- C. Diebold Election Systems, Inc. AccuVote-TSX direct record electronic voting system, firmware version 4.6.3; GEMS software version 1.18.24.
- D. Diebold Election Systems, Inc. AccuVote-OS (Model D) optical scan ballot card voting system, firmware version 1.96.6; GEMS software version 1.18.24, with Central Count version 2.0.12, optional.
- E. Election Systems & Software AutoMARK voting system (Voter Assist Terminal [VAT], hardware version 1.0; firmware version 1.0 and Information Management System [AIMS], version 1.09
- F. Hart InterCivic eSlate direct record electronic voting system, version 4.0.
- G. UniLect Corporation "The Patriot" direct recording electronic voting system. Cause 2005-02 (dismissal).
- H. Voting Technologies International (VTI) direct record electronic voting system application.
- I. Voting Technologies International (VTI) optical scan voting system application.

**10. Voting System Certifications (Applications for Term beginning October 1, 2005 and ending October 1, 2009:**

- A. Diebold Election Systems, Inc. AccuVote-TS touchscreen direct record electronic voting system (AVTS-R6); hardware version 1.0; firmware version 4.1.11; GEMS software version 1-17-17.
- B. Diebold Election Systems, Inc. AccuVote-OS 2000 Precinct Optical Scan tabulator, firmware version 1.94f; GEMS software version 1-17-17.
- C. Diebold Election Systems, Inc. AccuVote-OS (Model D) optical scan ballot card voting system, firmware version 1.96.6; GEMS software version 1.18.24.
- D. Election Systems & Software, iVotronic direct record electronic voting system hardware version 1.0; firmware version 9.0.0.0.
- E. Election Systems & Software, Data Acquisition Manager (DAM) version 6.0.0.0; Election Reporting Manager (ERM) version 7.0.0.0; Hardware Programming Manager (HPM) version 5.1.0.0



- F. Election Systems & Software Model 100 precinct tabulator optical scan firmware version 5.1.0.0 (Unity 2.5 component.
- G. Election Systems & Software Model 650 centralized mark sense tabulator, version 2.0.0 (Unity 2.5 component.
- H. Election Systems & Software AutoMARK voting system (Voter Assist Terminal [VAT], hardware version 1.0; firmware version 1.0 and Information Management System [AIMS], version 1.09.
- I. Hart InterCivic eSlate direct record electronic voting system and Ballot Now Absentee Paper System, version 4.1, including JBC version 3.1.3; eSlate version 3.1.3; SERVO version 3.0.17; BOSS version 4.0.48; Ballot Now version 3.0.24; Rally version 2.0.11; Tally 4.0.25 .
- J. MicroVote General Corp. direct record electronic Infinity Voting Panel (Model VP1, Firmware version 2.04; IEMS Software version 2.04.
- K. McroVote General Corp. direct record electronic voting system Model MV 464 (Hardware only).
- L. Voting Technologies International direct record electronic VOTWare software upgrade (Version 3.6.8).

**11.           Litigation Report** (*Mr. Kendall and Mr. Simmons*)

**12.           Adjournment**